

CONSERVATION ADVISORY COMMISSION
MINUTES

December 13, 2022

MEETING CONVENED: 7:26 p.m. Council Chambers/Facebook Meeting Hybrid

MEMBERS PRESENT: Beth Chajes, Andrew O'Donnell, Lauren O'Connor, Helga Huntley, Sheila Smith (Presiding), John Mateyko

ABSENT: Mahi Palanisami, Mikayla Rypkema

STAFF: Tara Schiano, City Secretary
Jeffrey Martindale, Chief Purchasing & Personnel Officer

Ms. Smith called the meeting to order at 7:26 p.m.

(Secretary's note: the presenter audio did not completely register, and all efforts were made to transcribe any non-Commissioner comments. A copy of Ms. Gregory's presentation can be found here: <https://newarkde.gov/DocumentCenter/View/16862/Zero-Waste-12-13-2022>)

1. APPROVAL OF MINUTES FROM SEPTEMBER 13, 2022 AND NOVEMBER 8, 2022:

MOTION BY MS. CHAJES, SECONDED BY MR. O'DONNELL: THE APPROVAL OF THE SEPTEMBER 13, 2022, MINUTES.

MOTION PASSED. VOTE 5 – 0.

AYE: CHAJES, O'DONNELL, SMITH, O'CONNOR, MATEYKO.

NAY: 0.

ABSTAIN: HUNTLEY.

ABSENT: RYPKEMA, PALANISAMI.

Ms. Smith explained that the November 8th minutes still needed to be edited and would be submitted for approval with the December minutes.

2. PUBLIC COMMENT:

No public comment.

3. FOOD WASTE WITH BRIGID GREGORY FROM ZERO WASTE DELAWARE

Dr. Huntley asked if the training class was free, and Ms. Gregory confirmed it was free to people in the program. Ms. Chajes asked if it was a cooperative extension and Ms. Gregory confirmed. Ms. Smith asked if the training was for those who committed to one of the sites and Ms. Gregory explained the training was specific to the program. Dr. Huntley noted that training was required at UD and Ms. Gregory explained that only the site liaison. Dr. Huntley asked if "everyone else" were all who were participating.

Ms. Gregory confirmed. Ms. Chajes interjected that anyone dropping off compostable materials would be considered a volunteer and Ms. Gregory confirmed for her organization's program.

Ms. Gregory shared that the estimated cost to start a site was \$3,000 and included all the tools and resources listed in the presentation. She explained that maximum quantity would require two three-bin systems with ten bins being the maximum allowed at the site. Ms. Smith asked if a permit was required, and Ms. Gregory explained that everything required a permit but exceeding ten bins at a site required additional measures.

Dr. Huntley noted that the Department of Natural Resources and Environmental Control (DNREC) considered the environmental impact of the activity but pointed out that there was also a zoning component. Ms. Gregory confirmed that City zoning would rule. Dr. Huntley asked Mr. Martindale if he was able to discern what permitting was necessary and he would investigate. Dr. Huntley asked Ms. Gregory if there were certain zoning categories in the County to allowed composting and Ms. Gregory explained that the discussion with County representatives was ongoing. Dr. Huntley assumed that if the Commission wanted to pursue composting, the City would take measures to make it possible. Mr. Martindale shared that the only reference to composting in City Code was in non-resident gardening and read:

Sec. 32-56.5. - Nonresident gardening.

Nonresident gardening, defined as growing of produce for personal consumption only and not for sale to the public, and not as an accessory use to a residence, shall be permitted in districts RH, RT, RS, RD, RM, RA, RR, UN, BL, BLR, BN, BB, BC, ML, MI, and MOR, subject to the following special requirements:

- (1) All such gardens and adjacent sidewalks shall be kept clean from weeds or noxious plant growth detrimental to the public health and welfare.
- (2) Composting of organic garden refuse shall not be permitted.
- (3) All produce shall be harvested as it matures.
- (4) Gardening should be permitted in daylight hours only.

Dr. Huntley noted the cost for the first year of the Drop Off program would cost \$9,000 and asked if the cost each year thereafter would be \$6,000. Dr. Huntley assumed there was space for only 100 households with the initial cost of \$9,000 to start the program and \$6,000 each year thereafter. Ms. Gregory confirmed. Ms. Chajes noted that there would be incidental costs such as bucket replacements and Ms. Gregory confirmed.

Ms. Gregory revealed there were currently no sites in Delaware for a paid curbside program and the only potential site was UD's Fresh to You which lacked scalability and required a paid and permitted hauling service. She indicated that her research was ongoing. She estimated that a trial program at UD using an outside hauler would cost around \$20,000. She explained that the next closest commercial facilities were Kitchen Harvest in Media, Pennsylvania, and Veterans Compost in Aberdeen, Maryland, which were 30 miles outside of the City, and Cherry Island Landfill was 17 miles away in Wilmington. She informed that there was a subscription based pickup service in Delaware called WasteWell. Dr. Huntley interjected and asked if the \$20,000 to \$30,000 was an annual cost or the set-up cost and Ms. Gregory said the cost was for set-up.

Ms. Gregory continued that WasteWell serviced Centerville, Greenville, Talleyville, and Trolley Square and took the composting to Kitchen Harvest. Dr. Huntley informed that the Commission spoke to

WasteWell some time ago and was told that WasteWell was unable to expand at that time. Dr. Huntley asked if the commercial sites were capacity limited and Ms. Gregory's response did not register. Ms. Smith suggested that there could be an entity that could possibly make the transition to accepting household waste. Ms. Gregory was hopeful that a commercial site could come to Delaware but there were many facets to consider.

The Chair opened the floor to comments from the Commission.

Ms. Smith asked if the Commission's goal in inviting Ms. Gregory was to garner information or act on the endeavor. Dr. Huntley suggested that the Commission was not ready to immediately act but it was important to understand the available options.

Ms. O'Connor asked if the idea with the paid curbside pickup for a five-gallon bucket was to have a hauler dump the bucket in a receptacle and return the bucket to the curb like a trash service and Ms. Gregory confirmed. Ms. O'Connor asked if the practice worked with every example from the presentation. Ms. Gregory confirmed.

Ms. Chajes asked if there was any analysis was available for transportation differences between 80 people going to one site and one truck performing pickups. Ms. Gregory would investigate. Ms. Chajes assumed that most participants would be local to the drop off and suggested the Commission research participation with drop-off recycling locations. She believed that two weeks between pickups was too long because decomposition was rapid and would deter potential users from opening the buckets.

Mr. Mateyko asked if any consideration had been given to separate streams of organic and non-organic waste and Ms. Gregory was enthusiastic about the suggestion. Mr. Mateyko referred to a recent Environmental Protection Agency (EPA) report that indicated that waste contained a high concentration of PFAS (per- and poly-fluoroalkyl substances) and contaminated the sites. Ms. Gregory confirmed that the concern was legitimate. Mr. Mateyko noted that the Department of Natural Resources and Environmental Control (DNREC) funded Zero Waste Delaware and asked if there was any consideration given to encourage backyard composting and Ms. Gregory confirmed. Mr. Mateyko found it difficult to find reliable information on how to better aerate backyard systems. Dr. Huntley suggested that similar comments be directed to the UD Extension Service for expert opinions given the evening's time constraints.

Ms. Smith asked if Ms. Gregory could recommend an active site and Ms. Gregory could not and explained that her goal was to have one operational by the spring. Ms. Smith asked a question on behalf of Ms. Palanisami on how cities included various stakeholders when food composting is a future potential. Ms. Smith then described Ms. Gregory as the outreach contact who was tasked with identifying stakeholders and Ms. Gregory confirmed. Dr. Huntley asked what locations Ms. Gregory hoped to have operational and Ms. Gregory would forward the list to Ms. Smith. Ms. Chajes asked if a community garden site would be considered an ideal location and Ms. Gregory confirmed. Ms. Smith agreed that the Dickey Park could be a potential site.

Mr. O'Donnell noted that food waste made up 25% of landfill matter and professional refuse haulers charged customers based on tonnage so he suggested that Ms. Gregory calculate the savings as a customer incentive.

4. EFFICIENCY SMART FUNDING UPDATE – JEFF MARTINDALE

Mr. Martindale spoke with Scott Lynch and Tom Coyle regarding rebates he suggested to help lower income residents. Dr. Huntley interjected that a suggestion was to target the rebates for different kinds of items in the name of equity but referred to Mr. Martindale's comment regarding income verification which meant that only people with certain incomes would be eligible for the super rebates. Mr. Martindale explained the process could be the same for everything or certain items. Dr. Huntley referred to Mr. Martindale's comment that a process was in place that the City could use to verify income. Mr. Martindale clarified that there was a potential to use the process, but he needed to investigate further. Dr. Huntley asked if the Community Development Block Grant (CDBG) had a single funding source and Mr. Martindale confirmed that the money was given to the City by the Federal Government.

Dr. Huntley suggested that increasing the rebate on an item that was out of a resident's financial scope would be more effective to make the program more attractive and accessible. She believed that a \$200 rebate on a washer, dryer, or refrigerator could encourage buyer to choose the more energy efficient option. She noted that smart thermostats already had \$100 rebates which equated to a free thermostat so offering an additional rebate for a fancier model was a lower priority.

Ms. Smith stated that specifications were available on what items received rebates and customers had to make purchases that met the set parameters. Mr. Mateyko stated that customers felt it was better to have smaller, less efficient refrigerators than to purchase larger units. Mr. O'Donnell informed that Efficiency Smart already provided a list of Energy Star approved appliances, so staff did not need to research further. Dr. Huntley preferred that any additional rebates offered should go towards those who otherwise could not afford to achieve energy efficiency and she did not want to subsidize those who could already afford an energy efficient appliance with the existing rebate to purchase a fancier model. She explained that \$100 thermostat rebate already covered the entire cost for some models, so she did not see a need to increase the rebate. She did not think it was necessary consider the details of whether a higher income individual could afford an upgraded model refrigerator because of an extra rebate. Ms. Smith did not want to withdraw support for a lower income person who opted for a more expensive model. Mr. Martindale wanted to determine a way to help lower income households to be more energy efficient appliances. Ms. Smith was concerned with putting a limit on quality if both the item and buyer met the standards unless the program indicated that rebates would only be available for a specific model. Dr. Huntley stated that Mr. Martindale already suggested that he could cull the list, but she agreed with Ms. Smith that the rebate should still be offered for higher end models if the customer and item satisfied the requirements. She did not want to set a limit on the purchase prices.

Ms. Smith suggested that Efficiency Smart could offer a rebate for any model on its list, but the Commission could specify which models would receive additional rebates. She noted that people who lived in apartments could purchase a washer, dryer, or refrigerator but could not purchase a heat pump. She asked if the Commission should support the program as an annual budget item and recalled that the Commission agreed to offer initial funding to both organizations and reevaluate based on performance. Mr. Martindale revealed that he reached out to Jim Purcell but had not yet received a response. Dr. Huntley clarified that the \$10,000 the Commission approved for Energize Delaware in November would not go out and Mr. Martindale confirmed.

Mr. Mateyko suggested paying for small window air conditioners (AC) for medically certified disabled or elderly individuals. Ms. Smith asked if air conditioners were included on the list and Mr. Martindale revealed they were not. Mr. Mateyko wanted to determine what high efficiency AC units were available and offer subsidies to pay for them. Mr. Martindale was hesitant to offer rebates beyond what was provided with the current program. Ms. Smith asked Mr. Martindale to investigate why ACs were not

included. Mr. Mateyko clarified that he was speaking about an AC unit for a single room and Ms. Smith noted that a cooling program might already exist because she knew of one that distributed fans. Ms. Chajes informed that New York City had pilot program for window unit heat pumps in development and suggested that the Commission gauge how soon wide-spread availability would be and direct efforts towards the initiative. Ms. Smith noted that Efficiency Smart would update its list of rebates and qualifying items constantly.

Dr. Huntley asked if neither of the Commission's November allocations would take place in 2022 and the remaining \$50,000 in the Commission's fund would revert to the general fund. Mr. Martindale confirmed.

5. ANNUAL REPORT – SHEILA SMITH

Ms. Smith provided each member with a list and asked for volunteers to provide a short paragraph for the annual report.

1. Continue outreach efforts, including Newark Post columns and tabling at public events as possible – ***Sheila Smith***
2. Continue to develop collaborations with The Newark Partnership and the University of Delaware on environmental and educational initiatives – ***Sheila Smith (Greenfest, Earth Day)***
3. Track and regularly evaluate the City's progress toward achieving its Sustainability Plan goals for Newark – ***Beth Chajes (Departmental Reports)***
4. Continue to support the efforts to grow the City's tree canopy – ***Sheila Smith***
5. Explore nature-based solutions to address Newark's vulnerability to urban heating and flooding – ***John Mateyko***
6. Promote the use of electric cars by the City of Newark and by residents to reduce carbon emissions – ***Andrew O'Donnell***
7. Promote open space in Newark (on-going goal) – ***Lauren O'Connor***
8. Develop and maintain a welcome packet for new CAC members, including FOIA compliance and training opportunities – ***Helga Huntley***
9. Investigate possible actions to improve conditions for biodiversity within the City's boundaries (***Lights Out***)
10. Urge City Council to form the Newark Energy Transition committee, so that we can get serious about transitioning to carbon-free energy – ***Andrew O'Donnell***
11. Use the forthcoming GHG inventory to formulate intermediate goals toward net-zero to propose to City Council – ***Beth Chajes***
12. Establish next steps for the renewable energy program
13. Support the development of solar energy within the city by organizing a Newark-based solar tour as part of the statewide Delaware Solar Tour event in October
14. Explore opportunities for Newark to participate in sustainability-related city coalitions e.g., Mayors & Municipal Leaders for Electrification, Ready for 100, RASCL (Resilient And Sustainable Communities League)

Ms. Smith explained that the annual report was organized around the Commission's goals and accomplishments but was not limited to the goals set forth at the beginning of the year. Dr. Huntley asked about the Greenhouse Gas Inventory and Ms. Smith explained the last report indicated that the inventory was not completed but did list the Commission's financial allocation; the consultants were still seeking

data from the County. Dr. Huntley believed that the Inventory should be included in the report as completed.

6. MONTHLY CONSERVATION ARTICLE WITH THE NEWARK POST – SHELIA SMITH

- December – Undecided Topic – Mikayla Rypkema
- January – Soil and leaves cooling – John Mateyko
- February - Tree Canopy (Oak Trees) – Sheila Smith
- Spring – Tick Species in Delaware – Lauren O’Connor

Ms. Smith revealed that Ms. Rypkema submitted an article on Sustainable Christmas that would be published on Friday, December 16th. Mr. Mateyko informed that his article was ready for submission. Ms. Smith intended to write an article on the City’s tree canopy, specifically the oak trees. Ms. Chajes noted that UD removed a large oak tree on the Academy Lawn and suggested contacting UD’s arborist. She explained that the removal was necessary given the declining health of the tree and the hazards it caused and informed that the tree was 112 years old. She added that arborists were also removing several trees near Pearson Hall, including another elm.

Mr. Mateyko asked if UD or the City had a risk balance between safety and reducing the tree canopy which increased heat. Ms. Smith explained that the City had a tree ordinance which included a value tree category and informed that the new Park Supervisor was an arborist. She clarified that the oak tree in question was directly on Main Street and hung over the sidewalk; the tree was failing and presented a danger to the community. She intended to write the article to emphasize the need to reestablish the tree canopy and stated that oaks were susceptible to bacterial leaf scorch.

Ms. Smith informed that the State had a program on Big Trees where foresters instructed the public on how to measure trees. The public could then report any large trees to the State for recognition as a champion. She explained that a master naturalist had been removing invasives in the wood lot next to West Park on the school’s property and discovered the second place State Champion tree, a sweet gum tree. Ms. Smith continued that the State Forester measured the canopy, height, circumference and compare the results to measured trees on record. She reported that the large oak on Route 4 and 72 was ranked 9th in the State for white oaks. She intended to encourage the public to visit the trees and remind everyone that trees age and need to be replaced for the sake of shade. Dr. Huntley asked if there would be another Spring Tree Giveaway and Mr. Martindale would speak to Mr. Spadafino. Ms. Smith stated that fall was the best time to plant. Dr. Huntley suggested that Ms. Smith’s article combined with the Tree Giveaway would be a welcoming combination to encourage planting.

7. PLANNING AND DEVELOPMENT REPORTS

None.

8. OLD/NEW BUSINESS

Mr. Martindale informed that the Parks and Recreation Department was unable to utilize the \$1,000 allocation from 2022 for bushes and trees to block the reservoir solar park from the road before the end of the fiscal year and he requested that the same amount be allocated in the 2023 budget. Dr. Huntley asked that the topic be revisited with the entire Commission in early 2023. Mr. O’Donnell asked

if unspent funding would return to the City and Mr. Martindale confirmed.

Mr. Martindale informed that the Dickey Park Community Garden budget was about \$7,500 under budget. Dr. Huntley clarified that the budget was lacking \$7,500 to construct ADA accessibilities and Mr. Martindale confirmed. Dr. Huntley asked if the funding was necessary for 2022 or 2023 and Mr. Martindale confirmed for 2023. Dr. Huntley asked if it was possible for the Commission to allocate the funding from the 2022 budget and Mr. Martindale informed it was not. Dr. Huntley asked why a budget amendment was necessary since the funding was allocated to the Commission. Mr. Martindale explained that the project was part of the capital budget so a formal budget amendment with Council approval was necessary to transfer money from the Commission because it was part of the operating budget.

Mr. Martindale noted that the Commission allocated \$10,000 to Energize Delaware and reminded that Efficiency Smart had also requested funding. He also spoke with Kaitlyn Tanis, President of the Newark Historical Society's Board of Directors, on the state of the Historical Society's building. Dr. Huntley recalled that the historic train station had met a bad fate and asked if the City was planning on renovating the building with the Commission contributing some funding to some energy efficiency elements. Mr. Martindale explained that anything the Commission contributed towards the building would be specific to the window replacement for energy efficiency purposes. Ms. Smith donated some funds and emphasized that the building was integral to the community and was admired by families who visited with children to watch the trains pass which had been a common practice for years. She reminded that a historic Frank Furness building located on Elkton Road had been demolished years earlier and emphasized the importance of preservation within the community; she could envision the Commission contributing to windows. Mr. Martindale had a meeting scheduled with Ms. Tanis later in the week and informed that on Giving Tuesday, the Historical Society matched up to \$10,000 of general donations to the program so he suggested participating in the upcoming Delaware Gives donation drive on March 2nd through 3rd to bring awareness to the community about the project by pledging a donation match of up to \$20,000. Ms. Smith admitted the buildings visitor hours were sporadic and recommended that the public visit.

Ms. Chajes asked for the amount on the Tree Giveaway and Mr. Martindale said that \$10,000 was a quick estimate. He calculated all his suggestions which amounted to \$70,000. Ms. Smith asked if Mr. Martindale was recommending \$25,000 for Efficiency Smart and Mr. Martindale corrected that he suggested \$20,000. He explained that the Community Garden was a bit of a rush project.

MOTION BY DR. HUNTLEY, SECONDED BY MR. O'DONNELL: THAT THE CONSERVATION ADVISORY COMMISSION APPROVE \$7,500 OF SPENDING FROM ITS 2023 BUDGET TO SUPPORT THE CONSTRUCTION OF ADA ACCESSIBLE ACCESS TO THE DICKEY PARK COMMUNITY GARDEN.

MOTION PASSED. VOTE: 6 – 0.

AYE: CHAJES, O'DONNELL, SMITH, O'CONNOR, MATEYKO, HUNTLEY.

NAY: 0.

ABSENT: RYPKEMA, PALANISAMI.

Mr. Martindale intended to introduce funding suggestions earlier in the fiscal year. Ms. Smith asked for the amount for the trees at the reservoir and Mr. Martindale said \$1,000.

Ms. Smith stated that she had been a Commissioner for years and noticed that every Community Day, the Commission lacked its own tables, banner, tent, or chairs, and a neighboring attendant shared

its sun cover with the group at the latest event. She asked if the Commissioner supported purchasing supplies. Dr. Huntley believed the request was entirely appropriate considering the group's participation in outreach events and asked Mr. Martindale to put a budget together for the items. Ms. Smith suggested a tablecloth with the Commission's name and the City Seal. Mr. O'Donnell suggested the group also purchase CAC polo shirts. Dr. Huntley asked that Kaitlyn Tanis meet with the Commission to illustrate how to tie the group's purpose in with the Commission's environmental conservation efforts because historical conservation was not technically under the Commission's purview. Mr. Martindale explained that the group wanted to concentrate on replacing the windows.

9. NEXT MEETING JANUARY 10, 2023

The meeting adjourned at 9:16 p.m.

Nichol Scheld
Deputy City Secretary

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